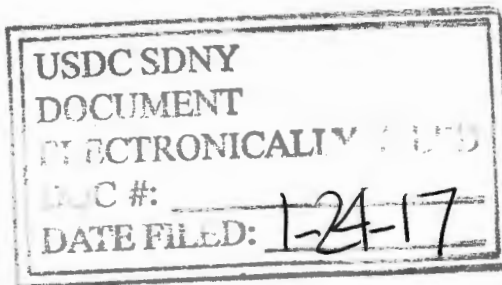


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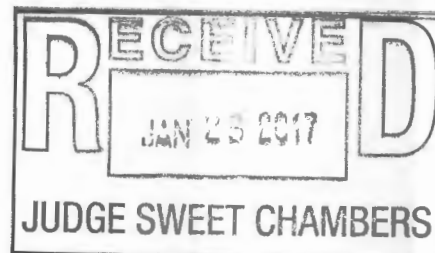


Joanna C. Hendon
tel 212-213-6553
jhendon@spearsimes.com

January 23, 2017

BY FACSIMILE AND ECF

The Honorable Robert W. Sweet
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007



Re: *United States v. Bladimir Rigo*, 13 Cr. 897 (RWS)

Dear Judge Sweet:

I write on behalf of my client Bladimir Rigo. On May 19, 2015, Your Honor sentenced Mr. Rigo to a term of imprisonment of 38 months' imprisonment followed by 3 years' supervised release. On May 23, 2015, the U.S. Court of Appeals for the Second Circuit reversed and remanded the case for resentencing. Thereafter, the prosecutors writtred Mr. Rigo into this District from FCI Fort Dix, where he had been serving his sentence. On January 17, 2017, Your Honor issued an opinion re-sentencing Mr. Rigo to 38 months' imprisonment – the original term of imprisonment imposed. I write to request that the Court conduct no further sentencing proceedings in this case, so that Mr. Rigo may be returned to FCI Fort Dix as soon as possible.

I met with Mr. Rigo today at the Metropolitan Detention Center, in Brooklyn, where he has been housed since the prosecutors writtred him back for re-sentencing by Your Honor. With the assistance of a Spanish-speaking interpreter, I reviewed Your Honor's January 17 opinion with Mr. Rigo as well as Mr. Rigo's rights under Fed. R. Crim. P. 32, including to a pre-sentence report and full a re-sentencing proceeding in open court. Mr. Rigo advises me that he wishes to waive those rights. He does not wish to appear again in this District, and asks that Your Honor accept his waiver. With the assistance of the interpreter, I obtained from Mr. Rigo a written waiver of rights, which I attach to this letter.

With the consent of AUSA Diskant, I respectfully ask that Your Honor issue a revised Judgment, without further Rule 32 proceedings, so that Mr. Rigo may be returned to FCI Fort Dix.

The Honorable Robert W. Sweet
January 23, 2017

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Respectfully submitted,

Joanna C. Hendon /AKA

Joanna C. Hendon

cc: AUSA Edward Diskant (by e-mail and ECF)

SO ORDERED

Sweet
United States District Court Judge

1-24-17

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA :

v. : 13 Cr. 897 (RWS)

BLADIMIR RIGO, :

Defendant. :

- - - - - X

The above-named defendant, having pled guilty to violating Title 18, United States Code, Section 1349; having previously been sentenced principally to a term of 38 months' imprisonment at a sentencing proceeding that complied in all material respects with the procedural requirements of Fed. R. Crim. P. 32 and Title 18, United States Code, Section 3553; having successfully appealed that sentence on the ground that this Court failed to make certain necessary factual findings relevant to sentencing; having been advised of this Court's January 17, 2017 Opinion and Order making the required factual findings and re-sentencing the defendant principally to the same term of 38 months' imprisonment; and having been advised of his right to a full re-sentencing proceeding in open court that would comply fully with all relevant requirements, including those set forth in Fed. R.

Crim. P. 32 and Title 18, United States Code, Section 3553 (a "re-sentencing proceeding");

Hereby waives, upon and with the advice of counsel, the right to a re-sentencing proceeding and consents to the entry of a revised judgment of conviction consistent with the terms set forth in this Court's January 18, 2017 Opinion and Order.

17 JH

Bladimir Rigo
BLADIMIR RIGO
Defendant

Joanna Hendon
JOANNA HENDON, ESQ.
Counsel for Defendant

Date: *Brooklyn,*
New York, New York
1/23/17, 2017

Sight translated by
SUSAN DAINO
S. Daino
1/23/17